

**FINAL MINUTES OF THE PUBLIC BOARD MEETING
OF THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY**

September 17, 2005

BOARD MEMBERS PRESENT: Board President Martin Reiss, Vice-President Stanley Grossman; Murray Cohen, D.O.; David Steinway, D.O.; F. P. Wedel, D.O.; Andrew J. Becke

BOARD MEMBERS ABSENT: Stanley Brysacz, Jr., D.O.

STAFF / OTHERS PRESENT: Jack Confer, Executive Director
Barbara Meyers, Deputy Director
Blair C. Driggs, Assistant Attorney General
Barbara Prah-Wix, D.O., Medical Consultant
Anita Shepherd, Business/License Manager
Beverly Alfson, Administrative Secretary

1. CALL TO ORDER

The Board President, Dr. Martin Reiss, called the meeting to order at 8:11AM.

2. ROLL CALL

The Executive Director took the roll. A quorum was present for the meeting. The staff and others listed above were also present.

3. PRESIDENT'S REPORT AND CALL TO THE PUBLIC

Dr. Reiss welcomed the 3rd year medical students from Arizona College of Osteopathic Medicine at Midwestern University. After the conclusion of the Investigative Hearings, probation matters, and some of the Case Reviews, the Board held a question and answer session with the medical students. The students were dismissed at approximately 3:30 p.m.

Dr. Reiss informed those present that it is the Board's custom to ask members of the public to speak when the agenda item of interest to the person is called. People wishing to speak were asked to fill out a speaker form and give it to a staff member.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

A. August 15, 2005 Telephone Conference Call

The Executive Director explained to the Board there were corrections needed on the minutes.

5. REVIEW, DISCUSSION, AND ACTION ON CASES MOVED TO FORMAL ADMINISTRATIVE HEARING, PURSUANT TO A.R.S. § 32-1855 (I).

A. Suzanne Bentz, D.O. Case No. 3271M License No. 2866

Dr. Bentz was present. Blair Driggs requested the case be moved back to an Informal Investigation and Dr. Bentz agreed to this request. Dr. Steinway moved to accept the request. Dr. Wedel seconded with a unanimous vote.

Dr. Prah gave a summary of the complaint. Dr. Bentz was sworn in by the court reporter and discussed the complaint with the Board.

MOTION: Dr. Steinway moved to issue a Letter of Concern for lack of documentation and patient care that may fall below the standard. Dr. Grossman seconded the motion. After further discussion, a roll call vote was made on the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	4	X	X		X		X	
NO	2					X		X
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes 4 – 2.

6. REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.

A. Paul Blumberg, D.O. Case No. 3093 License No. 1597

Dr. Blumberg was present with attorney DeeDee Armer-Holden. The Complainant, GF was also present. Dr. Prah gave a summary of the complaint. Dr. Blumberg was sworn in by the court reporter and commented on the complaint. The Board held discussion with Dr. Blumberg, Ms. Armer-Holden, and Complainant.

MOTION: Dr. Steinway moved to dismiss the case. Dr. Cohen seconded the motion

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

B. Paul Blumberg, D.O. Case No. 3304 License No. 1597

Dr. Blumberg was present with attorney DeeDee Armer-Holden. Dr. Prah gave a summary of the complaint. The board held discussion in this matter.

MOTION: Dr. Wedel moved to dismiss the complaint. Mr. Grossman seconded the motion for discussion purposes.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion failed 3 – 3.

SECOND MOTION: Dr. Steinway made a motion for Dr. Blumberg to obtain 30 hours of CME within 6 months in regards to history and physicals and pre and post op care. The CME must then be approved by the Executive Director. Mr. Grossman seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

THIRD MOTION: Dr. Steinway made a second motion for 20 cases from Dr. Blumberg's office to be reviewed after completion of CME. Mr. Becke seconded.

VOTE: The motion passes unanimously.

C. Alphonse Ambrosia, D.O. Case No. 3317 License No. 2705

Dr. Ambrosia was present and sworn in by the court reporter. Ms. Meyers summarize the complaint. The Board discussed the complaint with Dr. Ambrosia.

MOTION: Dr. Reiss moved to dismiss the complaint. Dr. Steinway seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke

YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: **The motion passes unanimously.**

D. POSTPONED

E. Michael Dubets, D.O. Case No. 3343 License No. 2589

Dr. Dubets was present with attorney, Robert Bohm. Dr. Dubets was sworn in by the court reporter. Ms. Meyers summarized the complaint. Mr. Bohm addressed the Board regarding the case. The Board discussed the allegation of impairment with Dr. Dubets.

MOTION: Dr. Steinway moved to place Dr. Dubets on Probation and be placed in an alcoholic surveillance program. Dr. Steinway also moved to have the complainant and Dr. Bitza subpoenaed to the next meeting and have Dr. Sucher re-evaluate Dr. Dubets. Dr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: **The motion passes unanimously.**

F. Bernard Susavage, D.O. Case No. 3305 License No. 1768

Dr. Susavage was present and sworn in by the court reporter. Dr. Prah gave a summary of the complaint. Dr. Susavage discussed the complaint with the Board and answered all their questions.

MOTION: Dr. Wedel moved to issue a Letter of Concern for prescribing controlled substances without adhering to appropriate protocols and failure to maintain adequate patient records. Dr. Steinway seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							

ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

G. R. Gene Clark, D.O. Case No. 3211 License No. 3448

Dr. Clark was present and sworn in by the court reporter. Ms. Meyers summarized the complaint. The Board discussed the complaint with Dr. Clark.

MOTION: Dr. Reiss moved to dismiss the complaint. Dr. Becke seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

H. John Wadleigh, D.O. Case No. 3429 License No. 1940

Dr. Wadleigh was present and sworn in by the court reporter. Ms. Meyers summarized the complaint for the Board. Dr. Wadleigh discussed the complaint with the Board and answered all their questions.

MOTION: Dr. Cohen made a motion to dismiss the complaint. Dr. Steinway seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

VOTE: The motion passes unanimously.

I. Stephen Williams, D.O. Case No. 2869 License No. 2443

Dr. Williams was present and sworn in by the court reporter. Dr. Prah gave a summary of the complaint. The board discussed the complaint allegation with Dr. Williams.

MOTION: Dr. Steinway moved to dismiss the complaint. Dr. Wedel seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

J. Lynne Pirie, D.O. Case No. 3018 License No. 1878

Dr. Pirie was present and sworn in by the court reporter. The medical consultant summarized the complaint for the Board. Dr. Pirie discussed the complaint with the Board.

MOTION: Mr. Becke moved for dismissal of the case. Dr. Cohen seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	5	X			X	X	X	X
NO	1		X					
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes 5 – 1.

7. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).

A. Ken Young, D.O. Case No. 3355 License No. 2930

Based on the materials presented and the recommendations of the reviewers.

MOTION: Dr. Wedel moved that the Board conduct and Investigative Hearing on this case. Mr. Becke seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke

YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

B. Paul Blumberg, D.O. Case No. 3171 License No. 1597

Dr. Blumberg was present and represented by attorney DeeDee-Armerholden. Dr. Blumberg answered the questions from the Board. Based on the materials presented and the recommendations of the reviewers.

MOTION: Dr. Steinway moved to dismiss the complaint. Mr. Grossman seconded

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

C. John Wadleigh, D.O. Case No. 3315 License No. 1940

Dr. Wadleigh was present and discussed the complaint with the Board.

MOTION: Mr. Becke moved to table the case so that staff can continue the investigation and subpoena records from Sabino Canyon Medical Center and also to refer the complaint to the Medical Board in regards to Dr. Shaw. The motion was seconded by Dr. Steinway.

VOTE: The motion passed unanimously.

D. Gary Knighton, D.O. Case No. 3414 License No. 3116

Based on the materials presented and the recommendations of the reviewers.

MOTION: Mr. Grossman moved to dismiss the complaint. Dr. Steinway seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

E. Dennis Parker, D.O. Case No. 3443 License No. 0819

Based on the materials presented and the recommendations of the reviewers.

MOTION: Mr. Grossman moved for and Investigative Hearing. Dr. Wedel seconded the motion.

VOTE: The motion passes unanimously.

F. Blake Stamper, D.O. Case No. 3462 License No. 2533

Based on the materials presented and the recommendations of the reviewers.

MOTION: Dr. Steinway moved to dismiss the complaint. Dr. Wedel seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

G. Douglas Bobb, D.O. Case No. 3481 License No. 1990

Based on the materials presented and the recommendations of the reviewers.

MOTION: Dr. Steinway made a motion to dismiss the complaint. Dr. Wedel seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

H. Myron Licht, D.O.

Case No. 3500

License No. 2800

Based on the materials presented and the recommendations of the reviewers.

MOTION: Dr. Wedel moved to dismiss the complaint. Dr. Steinway seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

I. Caren Borjeson, D.O.

Case No. 3550M

License No. 3117

Based on the materials presented and the recommendations of the reviewers.

MOTION: Mr. Grossman moved for an investigative hearing. Dr. Wedel seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

Dr. Dumbauld was present and discussed the complaint with the Board. Based on the materials presented and the reviewers recommendations.

MOTION: Dr. Steinway moved to dismiss the complaint. Dr. Wedel seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

Based on the materials presented and the recommendations of the reviewers.

MOTION: Dr. Wedel made a motion to dismiss the complaint. Dr. Steinway seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

Based on the materials presented and the recommendations of the reviewers.

MOTION: Dr. Steinway moved to dismiss the complaint. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke

YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

M. Paul Laven, D.O. Case No. 3430 License No. 2821

Based on the materials present and the recommendations of the reviewers.

MOTION: Dr. Wedel made a motion to dismiss the complaint. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

N. Michael Steingart, D.O. Case No. 3301 License No. 2097

The Complainant was present. The medical consultant summarized the complaint. The Board discussed the case with the complainant.

MOTION: Dr. Steinway moved to dismiss the complaint. Dr. Wedel seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	5	X	X		X	X	X	
NO	1							X
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes 5 – 1.

O. Suzanne Bennett, D.O. Case No. 3484 License No. 3258

Based on the information presented and the recommendations of the reviewers

MOTION: Dr. Steinway moved to dismiss the complaint. Dr. Wedel seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

P. Robert Lock, D.O. Case No. 3373 License No. 2523

Based on the information presented and the recommendations of the reviewers.

MOTION: Dr. Steinway moved to administratively close the case. Mr. Grossman seconded.

VOTE: The motion passes unanimously.

Q. Robert Lock, D.O. Case No. 3375 License No. 2523

Based on the information presented and the recommendations of the reviewers.

MOTION: Mr. Becke moved to dismiss the complaint. Dr. Wedel seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

ROLL CALL VOTE: The motion passes unanimously.

R. Robert Casey, D.O. Case No. 3377 License No. 1955

Based on the information presented and the recommendations of the reviewers.

MOTION: Dr. Wedel moved to dismiss the complaint. Mr. Grossman seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

VOTE: The motion passes unanimously.

S. Todd Lincoln, D.O. Case No. 3398 License No. 2445

Based on the information presented and the recommendations of the reviewers.

Dr. Wedel moved for **Investigative Hearing**. Dr. Steinway seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

The motion passes unanimously.

T. Donovan Schmidt, D.O. Case No.3425 License No. 2768

Based on the information presented and the recommendations of the reviewers, Dr. Steinway moved for **Dismissal** of the complaint. Mr. Grossman seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

The motion passes unanimously.

U. Albert Witte, Jr., D.O. Case No. 3053M License No. 1387

Based on the information presented and the recommendations of the reviewers, Dr. Steinway moved to issue a **Letter of Concern for inadequate time in treating a patient with serious condition of angina**. Dr. Wedel seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

The motion passes unanimously.

V. Mark Griswold, D.O.

Case No. 3016M

License No. 2799

Based on the information presented and the recommendations of the reviewers, Mr. Grossman moved to hold an **Investigative Hearing**. Dr. Wedel seconded.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

The motion passes unanimously.

W. Edward Murphy, D.O.

Case No. 3197A

License No. 1008

The complainant was present with additional support. Based on the information presented and the recommendations of the reviewers, Dr. Steinway moved to hold an **Investigative Hearing**. Mr. Becke seconded. The Board requested all depositions and to subpoena the anesthesiologist in the case. The Board also explained to the complainant that they may speak now, but it will not be transcribed and it would be better to hold all comments until the Investigative Hearing. The complainant agreed to wait.

	Vote	Dr. Reiss	Mr. Grossman	Dr. Brysacz	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	X	X		X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0			X				

The motion passes unanimously.

X. Lawrence Cherish, D.O.

Case No. 3197B

License No. 2877

This case is being heard with Case No. 3197A.

8. **REVIEW, DISCUSSION, AND ACTION ON PROPOSED LEGISLATION FOR UPCOMING SESSION, PURSUANT TO ARS § 32-1803(B) (13). AND ON RULEMAKING, PURSUANT TO ARS § 32-1803(C) (1) AND (A) (10), AND SUBSTANTIVE POLICY STATEMENTS, PURSUANT TO ARS § 41-1091**
(I had no information on this matter)
9. **EXECUTIVE DIRECTOR REPORT-Third Party Evaluation and Consulting Firms**
 - A. **PRESENTATION** Barry A. Cassidy, PhD, PA-C Professional Assessment Services and Solutions, LLC www.passusa.org
Dr. Cassidy was accompanied by John Shufeldt. They presented information to the Board regarding a program for disruptive physicians, nurses, and other professionals.
 - B. **Center for Personalized Education for Physicians CPEP, Patient Care Documentation**
(I had no information on this matter)
 - C. **Interagency Service Agreements**
(I had no information on this matter)
10. **REVIEW, CONSIDERATION, AND ACTION ON EXECUTIVE DIRECTOR'S REPORT.**
The Executive Director provided information to the Board in regards to the financial situation and also current performance measures.
11. **REVIEW, CONSIDERATION, AND ACTION ON PENDING LITIGATION AGAINST THE BOARD. THE BOARD MAY ALSO CHOOSE TO GO INTO EXECUTIVE SESSION PURSUANT TO A.R.S. § 38-431.03(A) (4).**
 - A. **Tomlinson vs. AZ Board of Osteopathic Examiners / LC2004-000858-001**
The Assistant Attorney General informed the Board that he was waiting for final documents on this case.
12. **ADJOURNMENT.**
Dr. Reiss moved to end the meeting. Mr. Grossman seconded. The meeting was adjourned at 3:44p.m.